



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

459463

AUG 29 2002

**VIA FEDERAL EXPRESS AND
FIRST CLASS MAIL**

Corinne Fischman
900 Colony Point Circle
Unit 314
Pembroke Pines, FL 33026

**Re: Overdue Response to Information Request-
Lower Darby Creek Area Site - Clearview Landfill, Folcroft Landfill, and Folcroft
Landfill Annex**

Dear Ms. Fischman:

On July 19, 2002, the U.S. Environmental Protection Agency ("EPA") issued a letter (copy of which is enclosed) to you requiring the provision of information and/or documents relating to the above-referenced Site, pursuant to Section 104(e)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, ("CERCLA"), 42 U.S.C. § 9604(e)(2) ("Information Request"). Your response was due within **fifteen (15) calendar days** of your receipt of the Information Request. The enclosed copy of the federal express delivery confirmation indicates that you received the Information Request on July 22, 2002. Accordingly, your response and all supporting information was due on or before **August 6, 2002**.

You must provide all requested documents as well as a separate and complete narrative response to each and every question contained in EPA's July 19, 2002, Information Request within **seven (7) calendar days** of your receipt of this letter. This seven day period, however, is not to be construed as an extension of the original deadline and does not excuse any violation for failure to respond to the initial Information Request.

NOTICE OF POTENTIAL ENFORCEMENT ACTION

EPA hereby advises you that your failure to respond fully and truthfully to each question, or to justify adequately your failure to respond, may subject you to an enforcement action by EPA, pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. § 9604(e)(5). This section authorizes EPA to issue an order directing compliance with an information request made under the statute "after such notice and opportunity for consultation as is reasonably appropriate under the circumstances." This letter constitutes such notice.



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In addition, Section 104(e)(5)(B) of CERCLA, 42 U.S.C. § 9604(e)(5)(B), allows EPA to seek judicial enforcement of an information request and authorizes the federal district courts to assess a civil penalty not to exceed \$27,500 for each day of non-compliance. In recent decisions, courts have assessed significant penalties against parties which had not complied with EPA information requests.

All documents and information should be submitted to:

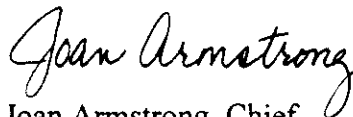
Ms. Carlyn Winter Prisk (3HS11)
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103

Be advised that the provision of false, fictitious or fraudulent statements or representations may subject you to criminal sanctions under 18 U.S.C. § 1001.

If you have any questions concerning this matter, please contact Ms. Prisk at (215) 814-2625. Questions of a legal nature may be addressed to Brian Nishitani, Senior Assistant Regional Counsel, at (215) 814-2675.

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501, et seq.

Sincerely,



Joan Armstrong, Chief
PRP Investigation and
Site Information Section

Enclosure

cc: Brian Nishitani (3RC44)
Carlyn Winter Prisk (3HS11)
Kristine Matzko (3HS21)
Gwen Pospisil (3RC44)
Craig Olewiler (PADEP- Harrisburg)
April Flipse (PADEP - Conshohocken)



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8/13/2002

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Signed For By: B.SHAPIRO



Delivery Location: 4372 ACACIA CIR

Delivery Date: July 31, 2002

Delivery Time: 0850

Shipping Information:

Tracking No: 829839815762

Ship Date: July 30, 2002

Recipient:

BARBARA H SHAPIRO

4372 ACACIA CIRCLE
POMPANO BEACH, FL 33066
US

Shipper:

CARLYN PERIK

EPA
1650 ARCH ST # F14
PHILADELPHIA, PA 191032029

Shipment Reference Information:


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| Total Postage & Fees | \$ | |

Recipient's Name (Please Print Clearly) (To be completed by mailer)
Carinne Fischman
Street, Apt. No., or PO Box No.
900 Colony Point Circle unit 314
City, State, ZIP+4
Pembroke Pines, FL 33026